

**TOWN OF LA POINTE
SPECIAL MEETING OF THE TOWN BOARD
MINUTES
JUNE 11, 2009
AT 5:30 AT TOWN HALL**

Called to order at 5:30

Members present: Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

Also present: A.E. Nelson, Gary Russell

Present by telephone: Mike Fauerbach

1. Approval of refunding the fund balance of the Winter Transportation Designated Fund to the three organizations that support the program: The Town of La Pointe, Madeline Island Ferry Line, and the Bayfield School District. Motion to close out the winter transportation designated fund and refund the fund balance to the three organizations that supported the program: the Town of La Pointe (28.4%), Madeline Island Ferry Line (28.4%) and the Bayfield School District (43.2%). Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.

2. Discussion with Windsleds, Inc. regarding its contract with the Bayfield School District for 2009-2010 Winter Transportation Agreement.

Representative segments of discussion:

A.E. Nelson stated that the agreement seems to be one-sided in favor of the District; it has issues that need to be worked out. He asks if the group can arrive at a dollar amount to present to the District.

Fauerbach asked Gillman's reaction since he is on the Ad Hoc Committee that is meeting with the District.

Gillman responded that the Agreement follows the spirit of the negotiation in some ways but is pushing the matter faster than was expected and fails to address the issue of the costs of maintenance & storage of the windsled.

Fauerbach pointed out that there is no mention of the Town in the contract and that the Town ought to have some say in the Agreement.

A.E. Nelson asked Fauerbach his opinion of having three separate contracts.

Fauerbach asked what would happen in a year when the ferry runs all year. Who pays for the fixed costs? He also asked if the Bayfield School District realized that the contracts have to be developed at the same time.

Fauerbach pointed out that there is no mention of van service in the contract.

A.E. Nelson said that the School District is expecting to provide van service for the children but that he didn't want that and he doubted if Island parents would either.

Gary Russell presented some financial figures and stated that he saw insurance as the biggest problem.

Greg Nelson pointed out that the District wants to be held harmless, yet they want control over when the windsled runs.

A.E. Nelson stated that the District also wants their own drivers trained at no cost to the District, and he will not do that.

Fauerbach asked if the District would agree to a daily cost in addition to a yearly assessment to cover fixed costs.

Gillman agreed to ask at the next meeting of the Ad Hoc Committee. He stated that A.E. Nelson could proceed with negotiating his contract with the District but that it would have to include the lease of the windsleds from the Town.

Fauerbach agreed that the Town has to be consulted as the owner. The Town should be a Third Party Beneficiary.

Gillman pointed out that the School District is coming up to their budget deadline.

Russell stated that transportation contracts are not due till July 22 or 23.

Fauerbach advised the Town to put something in writing to present to the District and see how the District responds.

Motion to allow R.Gillman to consult with Attorney Fauerbach on a lease proposal and to discuss his ideas with Greg Nelson before presenting them to the Ad Hoc Committee on a Collaborative Agreement. Motion by Ric Gillman; 2nd by Larry Whalen. Four ayes. Motion carried.

A.E. Nelson discussed dollar figures present by Russell and said he could work with those numbers.

Russell asked if the District would accept a clause that includes a fee for the years that the windsled doesn't run.

Gillman suggested a seasonal fee that is applicable only if the daily fee is not met.

Motion to express the Town's willingness to increase its participation to 33%.

Motion by Ric Gillman; 2nd by Larry Whalen. Three ayes; 1 abstain. Motion carried. Ham Ross abstains.

Motion to adjourn. Motion by Ric Gillman; 2nd by Ham Ross. Four ayes. Motion carried.

Adjourned at 7:08 PM

Submitted by Patty Hobin

Approved as submitted on June 23, 2009

Patty Hobin, Clerk